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**Early Warning Systems: A Proactive Approach**

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**A Leadership White Paper  
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## **ABSTRACT**

Law enforcement is just like any other industry when it comes to personnel issues arising from both on and off the job incidents. This in no way is saying that law enforcement has an abundance amount of officers who are corrupt or produce constant acts of misconduct. It is only a way to show that departments need systems in place to assist them with correcting the issues. Most police departments would indicate that a small percentage of officers are responsible for the constant citizen complaints, use of force situations, pursuits, and other forms of misconduct that require a supervisor's attention. A poll of approximately 14,000 law enforcement supervisors in the United States described a problem employee as negative, unwilling to accept responsibility for their actions, and manipulative with rules from administration ("5 ways," 2017). Early warning systems can help supervisors identify these officers, intervene with them, and monitor their subsequent performance after consultation. Early warning systems are a vital tool to increase responsibilities of front line supervisors with leadership being the primary key founded on accountability, while maintaining adequate interpersonal communication and follow up both on an off duty. Law enforcement agencies should mandate the implementation of programs geared toward identifying and helping problem officers. In this research, the impact of early warning systems in relation to altering misconduct and alerting supervisors when issues arise to better serve the community and officer involved will be discussed. An effective early warning system can improve officer performance, reduce citizen complaints, increase accountability from supervisors, improve morale, and lower liability that departments face through litigation while highlighting training needs (Schultz, 2012).

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## INTRODUCTION

Law enforcement officers are entrusted with a set of standards and expectations once they take a job in the career field. Violating those rules that come with the standards and expectations can be viewed as problems that must be corrected, as the integrity of the department is valuable to uphold. To be ahead of the curve, law enforcement agencies cannot wait until an officer commits an act of misconduct; they must be proactive in detecting misconduct, have an immediate action plan, and follow up with future conduct of the officer (Hughes & Andre, 2007). The standards and expectations from the community have a tendency to change depending on a magnitude of circumstances. Diversity, social acceptance, and ethnicity are just a few options that each individual person deals with when expectations and standards are applied. In law enforcement, department policies and procedures are what every person shall go by regardless of rank, sex, ethnicity, or social status, as the rules are clear along with consequences for violations. One thing that is not placed into those policies and procedures is how to assist troubled officers in ways to extend their career and curve behavior for the greater of good for both law enforcement and the community at large. Among the first permanent early warning systems were systems found in the police departments in Kansas City, Mo. (1972), Miami Dade County, Fla. (1980), Los Angeles Police Department (1991), and the Los Angeles County Sheriff's Department (1992) (Schultz, 2012).

Identifying the issues at hand must come sooner than later, whether from supervisors or peers, and programs must be installed quickly. A beneficial way to identify an officer who displays certain patterns of behavior that may indicate

misconduct is to establish an early intervention program (Walker, Alpert, & Kenney, 2001). These programs are not anything new, but the question is whether they are being applied within law enforcement agencies that face dilemmas. The U.S. Commission on Civil Rights in 1981 instructed all police departments to start an early warning system to help identify employees who have a high number of complaints or display patterns of misconduct (DeCrescenzo, 2005). Supervisors are the middle line of defense between problem officers in regards to the community and the department, so they must take action. Problematic officers can range from high-ranking administrators, first line supervisors, and all the way down to the lowest ranking patrol officer. The “brotherhood” has a strong pull within law enforcement agencies, which makes it very difficult to investigate problems from within, but it must be done. Supervisors, when an officer is identified by the early intervention program, are required to meet with the officer to examine the issues and seek corrective action to fix the issues (Walker et al., 2001). There must be a constant follow up regarding the problems presented and a plan of action in place to ensure the problems are gone. Once the intervention process is started, supervisors shall monitor the officer for a specified period of time to guarantee compliance (Walker et al., 2001).

Finally, early prevention programs can have an outstanding impact on law enforcement agencies and the community at the large. They increase accountability for both the officer and department, while showing the community that plans are in place to correct behavior and provide uncompromised service. Accountability is the biggest issue. Early prevention programs hold both the officer and the supervisor accountable, lowering the chances of corrective action throughout the organization when constant

problems arise with officers. There have been three agencies identified that have started the early intervention programs to identify potential problem behavior being Minneapolis, New Orleans, and Miami-Dade (Prenzler, 2009). The year after Minneapolis established its early intervention program, the number of complaints filed against officers participating in the program fell by over 65% (Prenzler, 2009). The best way to help problem officers and uphold agency missions and visions is to identify problem personnel, document behavior, communicate with officers directly, determine what is causing issues, and most importantly, be consistent with consequences and plan of action to resolve behavior. Based on these positive results, law enforcement agencies should mandate how to identify and help problem officers by using early intervention programs to reduce complaints and hold the officer and supervisors accountable to the both the public and department.

## **POSITION**

The biggest thing that most law enforcement agencies are willing to recognize is that there is a problem with officers, but there is no proven method to correct issues. However, this assertion is not true. As noted by Walker and Alpert (2004), “there is a critical need for research related to early intervention programs” (as cited in Lersch, Bazley, & Mieczkowski, 2006, p. 32). There are numerous studies available that show clearly how early intervention systems and programs are highly effective if applied correctly and closely monitored by agencies. Walker and Alpert (2004) only identified one study that investigated the effectiveness of early intervention systems, and this groundbreaking study is the foundation of all the future studies completed on the topic (as cited in Lersch et al., 2006). Without using methods that have been studied to be

highly effective, there is no real way to track data or issues handled appropriately. With early warning systems, there must be some type of trigger that launches an officer into the program or phases that are kept up with to help curve bad behavior. Walker, Alpert, & Kenney (2001) found that “Early warning systems have three basic phases: selection, intervention, and post intervention monitoring” (p. 2). Another purpose of an early warning system is to help prevent bad behavior before it happens due to employees knowing that the system is in place (Walker et al., 2001). Selection is tied to officers who meet a certain criteria monitored by a system that is not owned by the agency. The system is web based or software based. Information is entered into the system, and it relays the information to the supervisor. Intervention is solely based upon the supervisor of the officer stepping in and attempting to mentor the officer by providing some type of guidance both on duty and off duty to build relationships. This helps show a pattern of attempted corrective action that can assist the agency in case of potential litigation or future termination as a last resort. Post intervention monitoring comes after the officer has successfully met standards and milestones set out by the supervisor in conjunction with administrators that are deemed appropriate and fair to rehabilitate the officer. The agencies identified that have started the early intervention programs to identify potential problem behavior are Minneapolis, New Orleans, and Miami-Dade (Prenzler, 2009). One year after Minneapolis started its early intervention program, complaints filed against officers within the program declined by over 65% (Prenzler, 2009).

Supervisors are thriving with the implementation of this system, as their jobs become easier. The process of trying to track behavior is simply done for them, allowing them more time to become social and actually supervise while getting to know their

subordinates by personally aiding knowledge and problem indicators. Early warning systems result in fewer issues that supervisors have to deal with, such as internal investigations and corresponding paperwork. There is always resistance to the implementation of new programs, as agencies who launched the early warning systems were overall pleased with the results (Lersch et al., 2006). The agency or organization is still the ultimate beneficiary in these situations, as it allows supervisors to do their jobs and officers to perform at higher levels providing outstanding community service. Police officer are arrested about 1,100 times a year, or roughly three officers charged every day, according to a national study (Jackman, 2016).

Good discipline is one of the hardest things to find in every law enforcement agency, as no agency is perfect and all have problems that need immediate attention. The communities in which law enforcement agencies are held accountable and credible by deserve that much respect. According to CALEA (2001), “a comprehensive Personnel Early Warning System is an essential component of good discipline in a well-managed law enforcement agency” (Standard 35.1.15). Self-discipline is hard to maintain when there is no filter or overhead system in place to maintain accountability; therefore, having early warning systems in place aids law enforcement agencies in doing so. With about 72% of officer being charged in cases with known outcomes being convicted, roughly 40% of those crimes are committed on duty, and almost 95% of criminally charged officers are men. Crimes range from simple assault to sexually related offense (Jackman, 2016). Agencies with low to no turnover and little to no corrective action administered to officers is one that thrives at high levels, and communities are proud of them. Officers normally police each other at certain levels,



although peer pressure and other things can quickly change an officer who is immediately seen by others as demonstrating unacceptable behavior. Hughes and Andre (2007) wrote that “A growing number of researchers have indicated that approximately 10% of police officers can cause, or have caused, 90% of the problems in law enforcement agencies” (p. 164). Depending on size, that number can be large pertaining to officers in count, but the major determining factor is that early warning systems can greatly lower that percentage.

## **COUNTER ARGUMENTS**

Some law enforcement agencies do not use early warning systems due to invasion of privacy, trust, and severe drawbacks from officers and supervisors. Officers deem the process as being completely invasive and believe that their civil rights are being violated in some form or fashion. Law enforcement agencies’ policies and procedures do not supersede laws. Departments are tasked with the ultimate approach of how to monitor officers both on and off duty to ensure quality of performance and also community trust and respect. Invading the officer’s privacy is not a concern as the system only tracks indicators that occur while on the job and does not at all track any personal life attributes or decisions. Departments are concerned with what officers do while away from the job; however, they have no control or liberty to make decisions of what officers physically can and cannot do; they can only recommend. Police misconduct is a concern for many as numerous groups can be affected: other officers, the agency, and community at large (Andre & Hughes, 2007).

Many officers believe the system is there to punish officers instead of correct behavior. Most officers feel targeted as the system believed to be flawed due to veteran

officers never being flagged (Dees, 2003). They point to the fact that officers flagged by early warning systems are considerably more likely to be younger, male, and have fewer years of police experience (Lersch et al., 2006). Early warning systems give officers a chance to not only revive their careers, but also change behavior through a clearly constructed process that is monitored by both the agency and third party vendor to uphold credibility. The structure of the early warning system is solely based off of job related points during incidents in the field and how effective it can be in detecting potential areas of misconduct or problems within officers. Items that are tracked include use of force, officer involved shootings, vehicle pursuits, citizen complaints, and others. The officers age, sex, or ethnicity have no deciding factor in the point system and are not used at all.

Support from administrative staff is another issue that critics seem to deliberate immediately. As recommendations fall of deaf ears, others who were reported do not have the necessary resources required to deal with the needs of their officers (Walker, Osnick, Milligan, & Berke, 2006). Supervisors are tasked with carrying out the base line approach for the program and have to find a way to get their recommendations and suggestions to the administrators to get full support from them. With law enforcement shifting from disciplining to helping officer, so has the role of supervisors (Alpert & Walker, 2004). First line supervisors have some of the most demanding job tasks in the business of law enforcement geared more toward the administrative side of things. Early warning systems can be added to that list of things as it is geared toward the personal side of things where relationships are built and credibility is gained through compassion and understanding. An article by Hughes and Andre (2007) advised that “a

poorly managed early warning system (EWS) can also generate feelings of hostility and cynicism among the officers to the point that it harms the agency as a whole. EWSs are, therefore, high-maintenance programs that require ongoing administrative attention” (p. 170). There are a multitude of other issues, somewhat more “personal” in nature, which need consideration and will require thoughtful methods of discovery and intervention. This will help agencies identify inappropriate relationships, stress, substance abuse, temptations, and potential corruption (Means & Jokerst, 2013).

Misconduct or problems of any kind are very difficult to investigate or simply bring forward due to the “brotherhood” being so deeply rooted in law enforcement agencies. Problems are normally overlooked or swept under the rug to remain silent because of the code of silence that is instilled once a person enters the training program. Revealing information pertaining to the personal or professional life of another officer is deemed highly inappropriate within the society of law enforcement agencies even if asked under oath or during an official internal affairs investigation. During investigations, administrators must switch roles, remind themselves that they were once in the shoes of the problem officer, and decide how much it would mean to have someone caring about them but not lying to save their jobs. Early warning systems are valuable tools in detecting misconduct that if not addressed will have negative and long last effects on the officer, organization, and community (“Spot,” 2001).

## **RECOMMENDATION**

Early warning systems are highly effective in predicting problematic officer behavior, providing avenues to correct the behavior, and saving the department money by hopefully avoiding litigations and other things that may arise due to the behavior of

the officer. The biggest upside to early warning systems are increased performance, accountability of supervisors, and morale while lowering citizen complaints and liability issues (Schultz, 2012). All law enforcement agencies regardless of size should strongly consider implementing early warning systems to change the culture of the organization to demonstrate discipline and compassion from administrators toward problem officers. Others will see the system at work around them or simply be apart of the process and have the potential to develop a new outlook on the issue at hand. A strong culture of accountability and credibility will help morale and community relations tremendously.

There are several software packages available on the market that can be tailored to properly fit the specific needs of an agency that will not hinder the budget. The culture of an agency along with the livelihood of employees is more important than discipline and ruining careers of officers who can rehabilitate. Alpert and Walker (2004) stated, "EI Systems have the potential to alter the organizational culture by introducing a high standard of professionalism and establishing a data-driven tool for management to enforce those standards" (p. 22). First line supervisors are now tasked with the responsibility of figuring out where problems may arise before they even happen. Discipline is a very time consuming and tedious process, so when taking into consideration the documentation that goes into the job, early warning systems appear even more appealing. Helping officers is what the primary goal of early warning systems is attempting to provide to agencies that choose to use it. Time consumption is not a valid argument of why the system cannot work and bails supervisors out of some of the most important elements of supervision. Administrators want accountability and credibility to go up, and one way to get there is implementing an early warning system

that supervisors can show through data collection that there are issues that need attention and if left unattended, can pose great danger.

Early warning systems are very important to the profession of law enforcement, as problem officers are normally a small percentage of a bigger issue. In order to combat the issue effectively, supervisors must be educated and trained on how to identify misconduct properly. Systems should be developed within departments that allow for treatment and ensure protocols are being enforced throughout the ranks ("Dealing with," 2007). The simplest way to identify problem officers across law enforcement agencies is to implement these systems and allow them time to flourish and work properly with both officer and administration support. In a seven year study, researchers compiled 6,724 cases, or about 960 cases per year, involving about 792 officers per year — 674 officers were arrested more than once (Jackman, 2016). Over the years, numbers have continued to increase within the number of officers arrested for criminal offenses, further solidifying the ability of early warning systems to curve the numbers by a proactive approach from law enforcement agencies. The primary goals and objectives of early warning systems is to track behavior through production based data that alerts departments when certain elements are met, allowing departments to correct problematic behavior and avoid the officer becoming a liability to the department of community.

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